

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERGEANTS BENEVOLENT ASSOCIATION
HEALTH & WELFARE FUND, individually and on
behalf of itself and all others similarly situated,

Plaintiff,

v.

ACTAVIS, PLC, and
FOREST LABORATORIES, LLC, MERZ PHARMA
GMBH & CO., KGaA, MERZ GmbH & Co. KGaA,
MERZ PHARMACEUTICALS GmbH, AMNEAL
PHARMACEUTICALS, LLC, TEVA
PHARMACEUTICALS USA, INC., TEVA
PHARMACEUTICAL INDUSTRIES, LTD., BARR
PHARMACEUTICALS, INC., COBALT
LABORATORIES, INC., UPSHER-SMITH
LABORATORIES, INC., WOCKHARDT LIMITED,
WOCKHARDT USA LLC, SUN
PHARMACEUTICALS INDUSTRIES, LTD., DR.
REDDY'S LABORATORIES LTD., and DR. REDDY'S
LABORATORIES INC.,

Defendants.

C.A. No. 15-cv-6549-CM-RWL

MEMO ENDORSED

USDC SDNY
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**NOTICE OF MERZ'S MOTION
FOR CLARIFICATION PURSUANT TO FED. R. CIV. P. 60**

PLEASE TAKE NOTICE that, pursuant to Rule 60 of the Federal Rules of Civil Procedure, and upon the accompanying Memorandum of Law dated January 11, 2019, Merz Pharmaceuticals GmbH, Merz GmbH & Co. KGaA, and Merz Pharma GmbH & Co. KGaA (collectively, "Merz") hereby respectfully move this Court for an order clarifying that Count I of Plaintiff's operative complaint does not contain allegations against Merz.

1/14/2019
You are correct it is slipped
it does not let slip
Sorry though
Clerk of Court
(motion pending
docket entered
1/15/19 from 1/14
a per notice)

Dated: January 11, 2019

Respectfully submitted,

/s/ Martin M. Toto

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GmbH & Co KGaA, Merz
Pharmaceuticals GmbH, and Merz
Pharma GmbH & Co. KGaA*